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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/662,492
		Filing Date	September 15, 2000
		First Named Inventor	J. K. Kelly
		Group Art Unit	3625
		Examiner Name	M. Gart
Total Number of Pages in This Submission	6	Attorney Docket Number	6945.002.00-US

ENCLOSURES (check all that apply)

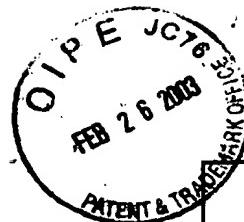
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Restriction Requirement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MCKENNA LONG & ALDRIDGE LLP Rebecca Goldman Rudich
Signature	
Date	February 26, 2003

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FEES TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 205.00)

Complete if Known	
Application Number	09/662,492
Filing Date	September 15, 2000
First Named Inventor	J. K. Kelly
Examiner Name	M. Gart
Group Art Unit	3625
Attorney Docket No.	6945.002.00-US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number 50-0911

Deposit Account Name McKenna Long & Aldridge LLP

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	410	2252	205 Extension for reply within second month
1253	930	2253	465 Extension for reply within third month
1254	1,450	2254	725 Extension for reply within fourth month
1255	1,970	2255	985 Extension for reply within fifth month
1401	320	2401	160 Notice of Appeal
1402	320	2402	160 Filing a brief in support of an appeal
1403	280	2403	140 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,300	2453	650 Petition to revive - unintentional
1501	1,300	2501	650 Utility issue fee (or reissue)
1502	470	2502	235 Design issue fee
1503	630	2503	315 Plant issue fee
1460	130	1460	130 Petitions to the Commission
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	750	2809	375 Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375 For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			
SUBTOTAL (1) (\$ 0.00)		SUBTOTAL (3) (\$ 205.00)	

** or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

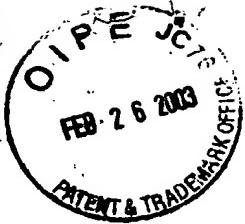
SUBTOTAL (3) (\$ 205.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Rebecca Goldman Rudich	Registration No. (Attorney/Agent)	41,786	Telephone	(202) 496-7463
Signature		Date	February 26, 2003		

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HY Lee

Docket No.: 6945.002.00-US
(PATENT)

PR
3-11-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
J. K. Kelly, et al.

Application No.: 09/662,492

Group Art Unit: 3625

Filed: September 15, 2000

Examiner: M. Gart

For: SYSTEM AND METHOD OF PROVIDING
AGRICULTURAL PESTICIDE
INFORMATION AND FACILITATING SALES
OF PESTICIDE PRODUCTS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed November 29, 2002 (Paper No. 2), applicant hereby ~~provisionally~~ elects claims 1-20 for continued examination, with traverse.

The Examiner has required restriction between claims 1-20, claims 21-26, and claims 27-33. The Examiner states that the inventions are "related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable." MPEP §806.05(d).

Section 806.05(d) of the MPEP states that "the Examiner must show, by way of example, that one of the subcombinations has utility other than in the disclosed combination...the burden is on the Examiner to provide an example." The Examiner has not provided an example in the present case. Accordingly, it is not proper to restrict the application in this manner and, thus, the Examiner must examine claims 1-20 of Group I, claims 21-26 of Group II, and claims 27-33 of Group III together on the merits.

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If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-20 presently pending in this application be examined.

Applicant, of course, reserves the right to file divisional applications covering the subject matter of the non-elected claims.

Dated: February 26, 2003

Respectfully submitted,

By 
Rebecca Goldman Rudich
Registration No.: 41,786
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant